

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515

May 12, 2020

The Honorable Jay Lucas  
Speaker of the House  
S.C. House of Representatives  
506 Blatt Building  
Columbia, SC 29201

The Honorable Harvey S. Peeler Jr.  
President of the Senate  
S.C. Senate  
213 Gressette Building  
Columbia, SC 29201

Dear Speaker Lucas and President Peeler,

Thank you for your work to keep the people of South Carolina safe through this unprecedented global crisis. As the General Assembly comes into session today to address the state's budget and coronavirus spending, I write to you today to extend my support for further action to keep voters safe in the coming 2020 elections.

As a devoted adherent to our nation's Constitution, I acknowledge and respect that the framers intended that the responsibility of administering South Carolina's elections lay principally on the state's legislature. However, as Alexander Hamilton noted in *The Federalist No. 59*, they also empowered the federal government to intercede when "extraordinary circumstances" deem it necessary. It is in that spirit that Congress appropriated \$400 million for states to protect their elections and that I offer my commitment to ensuring South Carolina has any further resources it may need.

The coronavirus pandemic threatens our citizens, economy, and way of life, including our election process. Social distancing guidelines have proven essential in slowing its spread, but they also pose a unique challenge to election administration. And while many states, including South Carolina, have already begun the process of easing these restrictions, it is impossible to predict what position we will be in come November.

As you are well aware, South Carolina's current voting laws make our state's election process particularly vulnerable to the effects of the coronavirus. That is why I was encouraged to see that the emergency budget legislation under consideration this week includes \$15 million to secure our election, as well as the additional \$6.3 million of CARES Act election assistance funding requested by the South Carolina Election Commission (SEC).

I also strongly support the SEC's proposals outlined in their March 30<sup>th</sup> letter to state leadership, including expanding absentee ballot access and allowing for early voting. Mail-in and early voting options would go a long way in reducing congestion at polling locations on election day and safeguarding the health of our constituents. But, given the time it would take to implement these changes, it is imperative that we act now. And I urge the Legislature to take swift action during this week's emergency session.

I appreciate that implementing such wide-scale changes will be costly and that many in our state have reasonable concerns about the effects these changes might have on the security of our elections. That is why, as a federal representative to the state, I pledge to do everything in my power to ensure South Carolina has access to the federal resources and funding necessary to implement these solutions effectively, efficiently, and securely. Accordingly, in order to aid in my efforts to advocate on behalf of our state, I request your response to the following:

- What is the State of South Carolina's plan to protect voters and poll workers if a reemergence of the coronavirus in the fall necessitates social distancing protocols?
- Do you support expanding absentee ballot access, including by allowing no-excuse absentee voting, allowing applications to be submitted electronically, or removing the witness signature requirement? If not, why?
- Do you support allowing voters to cast ballots in person at designated polling places prior to the date of the election? If not, why?
- Would the state require additional federal resources to implement the proposals outlined in the SEC's March 30<sup>th</sup> letter to state leadership, if they were enacted by the Legislature?
- Would the state require additional resources to ensure the security of the election if any of these proposals were enacted, including funding for physical security of ballots, chain of custody procedures, and election law enforcement?

Thank you for your prompt attention to this critical issue and I look forward to your reply. We cannot and must not ask our constituents to choose between their health and their right to vote.

Sincerely,



Joe Cunningham  
Member of Congress